GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Endowments Department – TTD – Appeals – Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati - Disciplinary proceedings instituted - Punishment of "Deemed to have been resigned from service"" - Appeal filed before TTD board – rejected – appeal filed u/s 120 (ii) of Act 30/1987 before the Government – Allowed - punishment orders set-aside - orders – Issued.

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REVENUE (VIGILANCE.VII) DEPARTMENT

G.O.RT.No. 109 **Dated: 11-02-2025**

Read the following:

1. Roc.No. DA5/14846/2016, dt.13.03.2017.
2. Roc No.DA5/14846/2016, dt:29.07.2020.
3. Appeal petition dt:04.08.2020 filed by Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati.
4. Proceedings in Roc No. Roc.NoB2 (DA)/6003/2021 dt: 18/10/2022 of the E.O, T.T.Devasthanams.
5. Appeal petition of Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati filed u/s 120 (ii) of Act 30/1987 before the Govt, received on dt:10.05.2023.

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ORDER:

Whereas, in the reference 1st read above disciplinary proceedings have been instituted against Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati on the allegation that (i) he was absent to his duties without prior permission or sanction from the authorities concerned from 11.11.2016 onwards and violated rule 4(i) of conduct rules; (ii) though he was shifted from the address declared in Service Register 2 years back he did not inform to his authorities and even not approached the authorities for permission to join duty shows his negligence, callous attitude and disobedience. In the reference 2nd read above, after conducting the regular enquiry and following the due procedure under relevant rules disciplinary proceedings have been concluded imposing a punishment of "Deemed to have been resigned from service" against Sri A.Subramanyam, the then Asst. Shroff, O/oAsst. EO, TTD, Tirupati, as the above said allegations are held proved against him as Exparte Inquiry since even though he was given reasonable opportunities for three times, he did not utilize it.

2. And whereas, aggrieved by the above orders Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati has filed an appeal before the TTD Board under Section 120(i) of Act of 30/87 within a stipulated time with a prayer to consider the grounds of appeal of appellant on the ground of compelling circumstances, set aside the orders of the respondent and reinstated him to service and regularize his absence as deemed fit and proper in the circumstances of the case. The Sub- Committee on Appeals after perusing the appeal petition of the individual has opined that no interference needed and appeal may be dismissed. The TTD board accepted the above recommendations of the Sub-Committee on appeals and disposed of the appeal petition accordingly in the reference 4th read above.

3. Aggrieved by the above orders, Sri A.Subramanyam, the then Asst.Shroff, O/o Asst. EO, TTD, Tirupati has filed an appeal u/s 120 (ii) of Act 30/1987 before the Government in the reference 5th read above stating that he fell ill with back ache with depression and left foot cellulitis and he was taken to his native place Madanapalli where his sister has been dwelling as there was no elderly members in his family at Tirupati to look after him or to assist him since father and mother predeceased him. Hence the appellant went to Madanapalli on compelling circumstances thereby he could not able attend his duties. If the absence is the result of compelling circumstances under which it was not possible to report or perform

duty such absence cannot be held to be willful. Absence from duty without any application or prior permission may amount to unauthorized absence. but it does not always mean willful which aspect also missed the sight of the respondent before passing final orders. Thereby the punishment order is liable to be set aside. Therefore, he has requested to consider the grounds of appeal of appellant on the ground of compelling circumstances duly condoning the delay in filing of the appeal and to set aside the orders of the respondent and reinstate him into service and regularize his absence period as deem fit and proper in the circumstances of the case.

4. The appeal petition of the appellant Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati has been examined with reference to the connected records and a personal hearing has been conducted on 12.11.2024 by the competent authority in this regard. After hearing the case, the appellate authority has decided to allow the appeal duly condoning the delay and to consider the plea of the appellant.

5. Government, after careful examination of the matter, hereby allow the appeal u/s 120 (ii) of Act 30/1987 filed by Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati duly condoning the delay and set-a-side the punishment of "Deemed to have been resigned from service" imposed against him in the reference 2nd & 4th read above, duly reinstating him into service.

6. The Executive Officer, Tirumala Tirupathi Devasthanams, Tirupati shall take necessary further action accordingly.

V.VINAY CHAND
SECRETARY TO GOVERNMENT

To
Sri A.Subramanyam, the then Asst. Shroff, O/o Asst. EO, TTD, Tirupati
through the Executive Officer, Tirumala Tirupathi Devasthanams, Tirupati.
The Executive Officer, Tirumala Tirupathi Devasthanams, Tirupati.
Copy to:
The Director of Treasuries & Accounts, Nidhi Bhavan, Mangalagiri
The Pay & Accounts Officer, Nidhi Bhavan, Mangalagiri,
The Accountant General, A.P., Vijayawada
The P.S to Hon'ble Minister for Endowments,
Sf/Sc

//FORWARDED::BY ORDER//

SECTION OFFICER